254

# PART III—Section 3

## NOTIFICATIONS RELATING TO LOCAL SELF-GOVERNMENT.

### OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, TYAMAGONDLU.

Notification dated 27th September 1956.

(*Issued under clause* 62 (*b*) *of the Town Municipalities Act*, 1951).

Notice is hereby given to the inhabitantants of Tyamagondlu Town that this Municipal Council desires to adopt the following model Rules for the levy and recovery of octroi in lieu of existing one as per 1933 Act.

Any inhabitant of the Municipality objecting to the proposals may within one month from date of Publication of this notification in the *Mysore Gazette*, send his objections, in writing to the President, Town Municipal Council, Tyamagondlu.

.....

1520 *President.*

*Tyamagondlu Town Municipalitiy Octroi Rules.*

Octroi shall be levied in respect of animals or goods or both specified in the schedule to these rules at the rates noted against each in Schedule I.

2. The Octroi shall be paid at the time of import of the animals or the goods to the Octroi Mutsaddi in charge of the Octroi Ookad. In case of disagreement was to the amount of octroi duty payable by the importer of goods imported within the octroi limits the Mutsaddi in-charge of the Ookad shall cause the importer to take the goods before the President or Vice-President or the Executive Officer, for the settlement of the duty to be paid.

3. When the goods have been examined at the Octroi Ookads, a pass in duplicate for such of the goods as are liable to octroi duly shall be furnished to the importer by the Octroi Mutsaddi. On receiving such pass, the Importer shall forthwith bring the taxable goods to the Central Octroi Office accompanied by a peon ; provided that if the duty to which the goods are liable does not exceed five rupees the Octroi Mutsaddi, may receive such duty and give to the importer a permit showing the nature and quantity of the goods and the duty received ; provided also that in the case of goods imported by railway, the Inspector or other officer-in-charge of the Octroi Post at the Railway Station may, in the same manner, receive duty not exceeding five rupees.

4. When goods accompanied by a pass as aforesaid are brought to the Central Office, they may be unloaded and weighed or counted by the officer-in-charge of the Octroi Office. Upon ascertainment of the amount of octroi payable on the goods the importer shall either pay the amount due and receive permit for the removal of the goods or shall deposit the same in the Octroi Office. When the duty is paid as above, a permit shall be granted by the officer, in-charge of the Central Octroi Office for the removal of the goods showing the quantity of weight of the goods, the duty paid in respect thereof and the date of payment. The fact of the receipt shall also be noted on each copy of the duplicate pass, one copy of which shall be filed in the office and one copy returned to the octroi post from which it was received. In case the importer wishes to re-export the goods at once, he shall do so only after obtaining a free export pass subjecting the goods to the escort of an octroi subordinate.

5. With a veiw to facilitating the appraisement of the value of goods when the tax is assessed on value, the importer may be called upon to produce the invoice of the goods for the inspection of the officer-in-charge of the Central Octroi Office. Whenever the invoice produced by an importer is in a language other than English or Kannada, he shall produce a true copy of such invoice translated into English or Kannada and verified by the importer.

In case the importer does not produce an invoice he shall give a declaration in writing regarding the quantity, number, weight, value, etc., of the article, for clearance of octroi duty. Should the importer fail or refuse to produce the invoice or if the invoice or the declaration produced appears to the officer-in-charge of the Central Octroi Office to be false or unduly low, the value of the goods shall be assessed by the officer-in-charge of the Central Octroi Office at current rates and octroi levied accordingly.

*Explanation.*—When the appraisement of the value of goods is made on the basis of the invoice, the value shall include all expenses such as packing charges, freight charges, cart hire, etc., less trade discount shown in the invoice.

6. With the previous approval of the President, in each case any carrying agent through whom goods are imported on behalf of persons resident within the Municipality or any wholesale importer may, on depositing as security such amount not being less than Rs. 25 as may be fixed by the President, be exempted from producing the goods imported by him, or through his agency for inspection at the Central Octroi Office provided that he makes arrangements satisfactory to the President for the supply to the Municipal Council of correct and detailed lists of all such goods with the names of the consignees in each case. Every such agent shall be responsible to the extent of his deposit for the payment of octroi on all goods which may have left his premises without octroi having been paid.

Provided that the President may at any time cancel such exemption by giving notice in writing to such agent or importer and return to him the amount of his deposit or such portion thereof, as may remain to his credit or may in any case require such agent or importer to produce any such goods for inspection at the Central Octroi Office.

Every deposit holder under this rule shall submit on or before the 3rd of every month the stock accounts of the previous month for verification of the dutiable articles.

DEPOSIT ROOM—CENTRAL OCTROI OFFICE (BONDED WAREHOUSE).

7. The Municipal Council shall provide a Bonded Warehouse in the Central Octroi Office for the custody of goods which may be deposited under Rule 3 of the Octroi Rules.

8. The Bonded Warehouse shall be open for the transaction of business from 11 A.M. to 5 P.M. daily except on Sundays and Holidays authorised by the President. Arrangements shall however be made by the officer in charge of the Octroi Office for dealing with perishable articles such as betel leaves on such days.

9. Any importer depositing goods in the Bonded Warehouse shall unless the officer in charge of the Octroi Office has previously by weighing, counting or appraising ascertained the amount of octroi payable thereon, give a declaration in the form appended (Schedule No. 2) of the description, weight, quantity and if necessary of the value of the goods.

10. A receipt in the form appended (Schedule No. 3) shall be given by the officer in charge of the Central Octroi Office for all the goods deposited in the Bonded Warehouse and a Register of all such goods shall be maintained.

11. The receipt given by the Octroi Department for depositing the goods should be returned before taking delivery of the articles to which it refers, otherwise the officer in charge of the Central Octroi Office may refuse to deliver the articles.

12. If the depositor does not himself take delivery of the article deposited in the Octroi Office, he must endorse on the receipt a request for delivery to the person to whom he wishes it to be made and if the receipt is not produced the delivery of the goods may at the discretion of the officer in charge of the Octroi Office be withheld until the person entitled in his opinion to receive the same has given an indemnity to the satisfaction of the Officer in-charge of the Octroi Office.

13. Any person who has deposited goods in the Bonded Warehouse may break bulk or change the packing thereof on application to the Officer in charge of the warehouse or

may, on paying full duty thereon, import such goods into the Municipal limits covered by a permit or may export such goods immediately after the receipt into the Octroi Office free covered by an Export Pass subject to the escort of an octroi subordinate; provided that new packages covered by such pass shall if possible, before they are taken from the warehouse be stamped by the Officer in charge, so as to show that they are under deposit.

The Export pass shall be in triplicate, the original being retained by the Officer-in-charge of the Warehouse, and the duplicate and triplicate delivered to the exporter.

14. No goods shall be allowed to leave the warehouse until storage fee has been paid thereon under the following rules:—

(*a*) Goods shall be allowed to remain 24 hours free of charge counted from sunrise to sunrise.

(*b*) After that period single rates as in the following table (appended) shall be charged for seven days or portion thereof.

(*c*) Double these rates shall be charged after seven days, provided that the President, may, in his discretion, allow a reduction in, or exemption from, such double rates.

(*d*) The date of admission and removal of goods shall reckon as one day and Sundays and closed holidays shall not be taken into account in reckoning the date from which fees under each class shall be payable. When delay is caused by the inability of the Officer in charge of the deposit room to examine and pass the goods, such delay shall not be reckoned.

15. The President may permit any wholesale dealer to occupy a room in the Bonded Warehouse for the storing of dutiable articles intended for sale to retail dealers in the Municipality and may make such rules regarding the occupation of such rooms as may from time to time be found necessary.

## THYAMAGONDLU MUNICIPALITY.

Schedule of rates of storage fee under Clause 14(b) of Octroi Rules.

| ಜಂ. ನಂ. | ವಿವರ | ದರಗಳು: ಪರಿಮಾಣ | ದರಗಳು: ಮೊಬಲಗು Rs. | a. | p. | ಗಂಟೆ |
|---|---|---|---|---|---|---|
| 1 | ತೆಂಗಿನಕಾಯಿ ... ... | 100ರ ಮೂಟೆ 1ಕ್ಕೆ ... ... | 0 | 0 | 6 | ದರ ಪ್ರತಿ ಪ್ರಾರಂಭದ ಗಂಟೆಗೆ |
| 2 | ಎಳೆದೆಲೆ ... ... | 100 ಕಟ್ಟುಗಳಿಗೆ ... ... | 0 | 0 | 6 | |
| 3 | ಸಕ್ಕರೆ ... ... | 9 ಮಣದ ಮೂಟೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ ... ... | 0 | 0 | 6 | |
| 4 | ಸೀಮೆಯೆಣ್ಣೆ ಮತ್ತು ಇತರ ಎಲ್ಲಾ ವಿಧವಾದ ಎಣ್ಣೆ* ಗಳು. | (8 ಗ್ಯಾಲನ್ನಿನ) ಎರಡು ಡಬ್ಬಗಳು ಮತ್ತು ಅವುಗಳ ಭಿನ್ನಾಂಶ ... | 0 | 0 | 3 | |
| 5 | ಬಟ್ಟೆ ... ... | ಬೇರ್‌ಗೆ 400 ಗಜ ಅಥವಾ 72ಕ್ಕಿನ ಜಾನ್ಸಿ Pieces ... ... | 0 | 2 | 0 | |
| | | ಬೇರ್‌ಗೆ 400 ಗಜಕ್ಕಿಂತ ಕಮ್ಮಿ ಅಥವಾ 6 ಡಜನ್‌ಗಳಿಗಿಂತ ಕಮ್ಮಿ ಸನಗು... | 0 | 1 | 0 | |
| 6 | ತಂಬಾಕು (ಹೊಗೆಸೊಪ್ಪು) ... ... | 24 ಪೌಂಡಿನ ಮಣ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ ... ... | 0 | 0 | 6 | |
| 7 | ಕಟ್ಟಿಣದ ಮುಟ್ಟುಗಳು ಮತ್ತು ಯಂತ್ರೋಪಕರಣಗಳು | ಟನ್ ಒಂದಕ್ಕೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ ... ... | 0 | 4 | 0 | |
| 8 | ಇತರೆ ... ... | ಪೆಟ್ಟಿಗೆ, ಕೇಸ್, ಬಂಡಲ್ ಅಥವಾ ಬ್ಯಾಗ್ 1ಕ್ಕೆ ... ... | 0 | 1 | 0 | |

*1 Tin = 4 gallons.

16. When goods stored by the wholesale dealer in the Bonded Warehouse under the above rule are issued on payment of duty, such allowance may be made on the original weight on account of reduction of weight owing to driage or wastage as may from time to time be fixed by the President.

17. All perishable commodities remaining uncleared or unclaimed after 48 hours shall be sold by public auction to the highest bidder at the Warehouse. All other goods remaining uncleared or unclaimed for a longer period than three months shall be sold in like manner, provided that, before selling such goods notice of that fact shall be posted for seven days at the Bonded Warehouse and at the Municipal Office and provided that goods shall be sold earlier when the storage fees are likely to exceed their value.

18. When any goods are sold under Rule 17 of the Octroi Rules the sale proceeds shall be credited to the Municipal Funds, in payment of duty and storage fees due in respect thereof, provided that if the amount realised by the sale exceeds the amount so due, the balance shall be kept in deposit for one year and any claims, for such balance received during that time shall be duly considered by the President. At the expiry of one year, or after all claims received during that period have been duly disposed off, the balance shall be credited to the Municipal Funds. No claims shall be admitted after the said period of one year, except by special permission of the Council.

19. The Municipal Council shall not be responsible for any damage that may be caused to goods deposited in the deposit room while such goods are being passed into or out of the deposit room or while they remain therein unless such damage is proved to have been caused by the wilful neglect of the deposit room keeper or other person charged with the safe custody of the goods.

20. Any person may, with the sanction of the President, be permitted to use any place as of Bonded Warehouse on payment of the cost of such establishment and subject to such conditions, as may, in each case, be fixed by the President.

21. *Exemptions.*—In the following cases no octroi shall be levied.

### THYAMAGONDLU MUNICIPALITY.

List of articles exempted from Octroi on which no Octroi shall be levied under Clause 21 of Octroi Rules.

| ಜಂ. ನಂ. | ವಿವರ | ಪರಿಮಾಣ |
|---|---|---|
| 1 | ಮೈಸೂರಿನ ಕಂಬಳಿಗಳು.— | |
| 2 | ತ್ಯಾಮಗೊಂಡ್ಲು ಮುನಿಸಿಪಾಲಿಟಿಗೆ ಸೇರಿದ ಪದಾರ್ಥಗಳು. | |
| 3 | ಈ ಕೆಳಗೆ ಕಂಡಂತೆ ಸ್ವಂತ ಉಪಯೋಗಕ್ಕಾಗಿ ತಂದವುಗಳು. | |
| | ತೆಂಗಿನಕಾಯಿಗಳು ... | 6. |
| | ಕೊಬ್ಬರಿ ... | ತೂಕದ $2\frac{1}{2}$ ಸೇರು. |
| | ಬೆಲ್ಲ ... | 5 ಸೇರು. |
| | ಸೀಮೆಯೆಣ್ಣೆ ವಿನಹ ಇತರ ಎಣ್ಣೆಗಳು. | $2\frac{1}{2}$ ಸೇರು. |
| | ಹೊಗೆಸೊಪ್ಪು ... | 1 ಸೇರು. |
| | ಬಟ್ಟೆ ... | 8 ಗಜಗಳೊಳಗಾಗಿ. |

22. A receipt in the prescribed form shall be given for payments made.

(Here enter the Schedule—the rates and items shall be specified by the Municipal Council concerned).

## SCHEDULE No. I.

Under Clause 22 of Octroi Rules.

| ಸಂ. ನಂ. | ಪದಾರ್ಥಗಳು | ಹಾಲಿ ಜಾರಿಯಲ್ಲಿರುವ ದರಗಳು ಪರಿಮಾಣ | ದರ ರೂ. | ಆ. | ಕಾ. | ಜಾರಿಗೆ ತರಬೇಕಾದ ಧರಗಳು ಪರಿಮಾಣ | ದರ ರೂ. | ಆ. | ಕಾ. |
|---|---|---|---|---|---|---|---|---|---|
| 1 | ತೆಂಗಿನಕಾಯಿ | 100ಕ್ಕೆ | 0 | 8 | 4 | 100ಕ್ಕೆ | 0 | 8 | 4 |
| 2 | ಕೊಬ್ಬರಿ | ಮಣ 1ಕ್ಕೆ | 0 | 8 | 0 | ಮಣ 1ಕ್ಕೆ | 0 | 6 | 0 |
| 3 | ವೀಳೆಯದೆಲೆ | 100ನ ಕಟ್ಟು 1ಕ್ಕೆ | 0 | 0 | 1 | 100ನ ಕಟ್ಟು 1ಕ್ಕೆ | 0 | 0 | 1 |
| 4 | ಸಕ್ಕರೆ | ಮಣ 1ಕ್ಕೆ | 0 | 4 | 0 | ಮಣ 1ಕ್ಕೆ | 0 | 4 | 0 |
| 5 | ಕುರಿ ಅಥವಾ ಮೇಕೆ | ತಲೆ 1ಕ್ಕೆ | 0 | 1 | 0 | ತಲೆ 1ಕ್ಕೆ | 0 | 1 | 0 |
| 6 | ಹೊಗೆಸೊಪ್ಪು | ಮಣ 1ಕ್ಕೆ | 1 | 0 | 0 | ಮಣ 1ಕ್ಕೆ | 0 | 8 | 0 |
| 7 | ಸೀಮೆಯೆಣ್ಣೆ | 4 ಗ್ಯಾಲನ್ನುಳ್ಳ ಡಬ್ಬ 1ಕ್ಕೆ | 0 | 2 | 0 | 4 ಗ್ಯಾಲನ್ನುಳ್ಳ ಡಬ್ಬ 1ಕ್ಕೆ | 0 | 2 | 0 |
| 8 | ಬಜ್ಜೆ | ರೂ. 1ಕ್ಕೆ | 0 | 0 | 3 | ರೂ. 1ಕ್ಕೆ | 0 | 0 | 3 |
| 9 | ಎಣ್ಣೆಗಳು.—ಕೊಬ್ಬರಿಎಣ್ಣೆ, ಅಗಸೆಎಣ್ಣೆ, ಹೊಂಗೆಯೆಣ್ಣೆ, ಹರಳೆಣ್ಣೆ ಮತ್ತು ವನಸ್ಪತಿಯಿಂದ ಮಾಡಿದ ಎಣ್ಣೆ. | ಡಬ್ಬ 1ಕ್ಕೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ | 0 | 2 | 0 | ಡಬ್ಬ 1ಕ್ಕೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ | 0 | 2 | 0 |
| 10 | ಡಿಸ್ಟೈಲ್ ಎಣ್ಣೆ | ಡಬ್ಬ 1ಕ್ಕೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ | 0 | 2 | 0 | ಡಬ್ಬ 1ಕ್ಕೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ | 0 | 2 | 0 |
| 11 | ಬೀಡಿಗಳು | 1,000ಕ್ಕೆ | 0 | 0 | 6 | 1,000ಕ್ಕೆ | 0 | 1 | 0 |
| 12 | ಸಿಗರೇಟುಗಳು | 1,000ಕ್ಕೆ | 0 | 1 | 0 | 1,000ಕ್ಕೆ | 0 | 2 | 0 |
| 13 | ಟೀ ಮತ್ತು ಕಾಫೀ | ಪೌಂಡ್ 1ಕ್ಕೆ | 0 | 0 | 6 | ರೂ. 1ಕ್ಕೆ | 0 | 0 | 3 |
| 14 | ಎಣ್ಣೆ ಬೀಜಗಳು | 100 ಸೇರಿಗೆ | 0 | 2 | 0 | 160 ಸೇರಿಗೆ ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶಕ್ಕೆ. | 0 | 4 | 0 |
| | | 160 ಸೇರಿಗೆ | 0 | 4 | 0 | | | | |
| | | ಖಂಡುಗ 1ಕ್ಕೆ | 0 | 6 | 0 | | | | |
| 15 | ಕಡಲೆಕಾಯಿ ಮತ್ತು ಕಡಲೆ ಬೀಜ | 100 ಸೇರು ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ | 0 | 2 | 0 | 100 ಸೇರು ಅಥವಾ ಅದರ ಭಿನ್ನಾಂಶ | 0 | 1 | 0 |
| 16 | ಬೆಲ್ಲ | ಮಣ 1ಕ್ಕೆ | 0 | 2 | 0 | ಮಣ 1ಕ್ಕೆ | 0 | 2 | 0 |
| 17 | ಸಿಮೆಂಟ್ | ... | ... | | ... | 4½ ಮಣ 1ಕ್ಕೆ | 0 | 2 | 0 |
| 18 | ಅಡಿಕೆ | ... | ... | | ... | 960 ತೊಲೆಯ 5 ಮಣಕ್ಕೆ | 0 | 2 | 0 |
| 19 | ಸೋಪುಗಳು (ಟಾಯಿಲೆಟ್‌ಗಳೂ ಸೇರಿ) | ... | ... | | ... | ಮೌಲ್ಯಕ್ಕನುಗುಣವಾಗಿ ರೂ. 1ಕ್ಕೆ | 0 | 0 | 3 |
| 20 | ಕಬ್ಬಿಣದ ಮುಟ್ಟುಗಳು ಮತ್ತು ಅದರಲ್ಲಿ ಮಾಡಿರತಕ್ಕ ಯಂತ್ರೋಪಕರಣಗಳು. | ... | ... | | ... | ಬೆಲೆಗನುಗುಣವಾಗಿ ಶೇಕಡವಾರು ದರ | 1 | 0 | 0 |
| 21 | ಗೋಧಿ ಮತ್ತು ಗೋಧಿಯಿಂದ ಮಾಡಲ್ಪಟ್ಟಿರತಕ್ಕ ಹಿಟ್ಟು ವಗೈರೆ. | ... | ... | | ... | 196 ಪೌಂ. ಮೂಟೆ 1ಕ್ಕೆ | 0 | 4 | 0 |
| 22 | ಎಲೆಕ್ಟ್ರಿಕ್ ಸಾಮಾನುಗಳು ಮತ್ತು ಅದರ ಭಾಗಗಳು. | ... | ... | | ... | ಮೌಲ್ಯದ ಮೇಲೆ ಶೇಕಡಾವಾರು ದರ. | 2 | 0 | 0 |

## SCHEDULE No. II.

The Officer-in-charge of the Octroi Office, Town Municipality of Thyamagondlu. Please receive the undermentioned goods and deposit them in the Koti.

| Name of depositor | Description of articles deposited | No. of packages | Weight | Measurement | Quantity | Value | Remarks |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| | | | Mds. Srs. | Cft. C.in. | | | |
| | | | | | | | |

## SCHEDULE No. III.

Octroi Office or Bonded Warehouse, Thyamagondlu Town Municipality. Received for deposit the undermentioned goods from.....

| Receipt No. | Consignment number and date | Goods despatch note No. | Name and description of article | Number of articles | Remarks |
|---|---|---|---|---|---|
| | | | | | |

*Octroi Clerk.* *Officer in-charge of Octroi Office/Bonded Warehouse.*

Notification dated 27th September 1956.

*Issued under Clause 48(1) (k) of the Town Municipalities Act, 1951.*

**No. H.C. 18—55-56.** Notice is hereby given to the inhabitants of Thyamagondlu Town that this Municipal Council desires to adopt the following Model Bye-laws for levy of octroi in liew of existing ones as per 1933 Act.

Any inhabitant of the Municipality objecting to the proposed bye-law may within one month from the date of publication of this notification in the *Mysore Gazette* send his objection in writing to the President, Town Municipal Council, Thyamagondlu.

.....
*President.*

### THYAMAGONDLU TOWN MUNICIPALITY OCTROI BYE-LAWS.

1. The octroi limits for the purposes of collecting octroi shall be the Municipal limits.

2. No article liable to octroi shall be brought within the Municipal limits except by one of the high roads and the cross roads specified in the schedule (to be specified by each Municipal Council) or by the railway.

1. Tumkur-Begur Road. 2. Bagur-Tumkur Road.
3. Thyamagondlu-Shivaganga Road. 4. Thyamagondlu-Gangamma Tank.

3. (*a*) The octroi posts at which such goods shall be liable to inspection shall be the Ookads on the high roads as well as the cross roads specified in the schedule, the bonded warehouse, and the railway station. And every person bringing dutiable goods within the Municipal area shall report the fact at the first of such posts on the route by which they are brought. All officials of the Octroi Department not below the rank of a Mutsaddi are authorised to inspect the contents of any conveyance or package under Section 85 of the Town Municipalities Act, 1931.

(*b*) All persons driving vehicles shall stop them at the Octroi posts when entering the Town Municipal limits (whenever required to do so by the Octroi staff) for the purposes of examining and searching articles liable to octroi.

(*c*) Breach of clause (*b*) of this Bye-law shall render the offender liable on conviction to a fine not exceeding rupees fifty.

4. A table showing the articles on which octroi is leviable shall be open to the inspection of any person at the Municipal Office and copies thereof shall be supplied without any charge to any person requiring the same. Such table shall also be affixed in a conspicuous place at every post or office at which octroi is levied.

GRANT OF LICENCES FOR THE SALE OF CERTAIN ARTICLES.

5. The conditions on or subject to which licences for sale of articles liable to octroi may be granted shall be as follows :—

OCTROI LICENCE OF WHOLESALE DEALERS.

(1) That the licence shall be in force only till the 31st March 19....., and that it shall be shown to any Octroi Officer when he shall lawfully call for the same.

(2) That due written notice of the despatch of all consignment of dutiable articles to the licensee's address and probable date of arrival within Municipal limits be given to the Officer incharge of the Town Bonded Warehouses, that these goods be brought within the Municipal limits between the hours of 6 A.M. and 6 P.M. and by way of the public high roads and cross roads described in the schedule or by railway, and that the parties in charge report themselves to the first Ookad reached within Municipal limits, a peon from which will accompany the consignment to the bonded warehouse and that the importers or persons in-charge of the consignment shall be bound to answer truly all lawful questions put by the Octroi Mutsaddi or the Officer-in-charge of the Town Bonded Warehouse.

(3) That all Octroi articles attempted to be introduced within Municipal limits after 6 P.M. and before 6 A.M. or by any other than the public roads described in the said schedule or by the railway will be considered as contraband and treated accordingly.

(4) That the article subject to octroi duty mentioned above shall not be introduced into the premises of the licensee or place of business without payment of octroi thereon.

(5) That when by the licence the licensee is authorised to vend (goods to be specified by the Municipality) in any form an account in the accompanying form shall be kept by the licensee of all stock of (goods to be specified by the Municipality) imported and disposed of either by sale within the Town or exported beyond the Municipal limits and that such account shall be open to the inspection of any Octroi Officer above the grade of a peon and shall be submitted to the officer-in-charge of the Bonded Warehouse on the 15th of every month for verification.

(6) That no dutiable articles intended for consumption in the Town of Thyamagondlu shall, under any circumstances, be allowed to be deposited by the licensee in any of the villages immediately beyond Municipal limits.

(7) That the license shall not be transferable by sale, gift, mortgage or otherwise, and that no persons except such as are named herein shall have power to act under it.

(8) That the licensee shall deposit Rs. 100 as security for the due observance of the conditions of the license, the whole or part of it being forfeited as the President may direct for breach of any of the conditions of the license.

*Octroi License by Retail Dealers.*

6. (1) That the premises of the licensee may be inspected by any octroi officer at any time in the manner prescribed by the bye-laws.

(2) That in respect of all articles appended in Schedule I in the said premises whether purchased or sold by the licensee the octroi duty shall have been paid and the dutiable goods shall have been purchased at the Bonded Warehouse or from a duly licensed wholesale dealer.

(3) That no articles appended in Schedule I shall be stored or sold in any other place than licensed premises and any abovesaid articles found in an unlicensed premises is liable to be contraband and dealt with accordingly.

(4) That the license shall be in force only for 12 months namely from 1st April 19..... to 31st March 19... and that it shall be exhibited to any octroi officer when he shall lawfully call for the same.

(5) That the license shall not be transferred by sale gifts, mortgage or otherwise and that no persons except such as are named in the license shall have the power to act under it.

(6) The licensee shall within fifteen days from the date of issue of the license to have a sign-board put up in a conspicuous part of the premises occupied by him with the following inscription legibly painted thereon in Kannada and English : —

Number of licence.....

Name.....

License to sell.....

(7) That the licensee shall deposit Rs. 10 as security for the due observance of the conditions of the license, the whole or part of it being forfeited as the President may direct for the breach of any of the conditions of the license.

(8) That the license shall be liable to suspension or forfeiture for breach of any of the conditions of the octroi bye-laws.

*Refunds.*

7. On all articles on which octroi duty has been paid and which are subsequently exported by the original importer himself beyond the Municipal limits without breaking bulk refunds shall, subject to the following rules, be granted at the rates originally charged at the time of import : —

(i) on timber imported and re-exported in log within six months from the date on which octroi was levied;

(ii) on piece-goods within three months from the date on which octroi was levied;

(iii) all other articles within one month from the date on which octroi was levied;

Provided that no refund shall be granted of any sum less than one rupee.

(8) Any person claiming refund underthe above bye-law shall produce the goods to be exported at the Central Octroi Office together with the original receipt for octroi duty paid thereon and an application for refund prepared in triplicate in the form annexed to these bye-laws. He shall fill up columns 1 to 10 of the application signing and dating the same, before he presents at the Octroi Office he shall also produce for record in the office a certified copy of the invoice as per which duty was paid on the article at the time of its import.

(9) Any person who has been exempted under Rule 6 of the Octroi Rules from production of goods at the Octroi Office on import shall, subject to the same conditions, be exempted from the production of goods to be exported.

10. The officer in charge of the Octroi Office on being satisfied as to the identity of the goods produced with those for which receipt has been granted or the validity of the claim, shall fill up columns 11 to 15 and the coupon and hand over the form to the exporter along with a certificate in the Form annexed.

11. All goods exported under such pass and also all goods exported under free export pass under Rule No. 13 of the Octroi Rules shall be produced by the exporter at the Octroi post of exit.

12. The octroi subordinate in charge of the post of exit shall satisfy himself that the goods produced as being covered by the pass correspond with the entries in the pass presented with them.

13. If the goods are being exported otherwise than by rail and if the consignment appears to be duly covered by the pass, he shall retain the coupon after due endorsement of the particulars specified on the reverse of the form. Otherwise he shall retain the pass and shall report the circumstances forthwith for the order of his immediate superior. If the goods are under a free export pass and do not appear to agree with the particulars given therein they shall be detained until the orders of his superior, are received.

14. If the goods are for export by rail, the octroi subordinate in charge of the station of exit shall retain the pass pending production of a railway receipt for the goods covered by the pass. Upon production of the railway receipt, if after due enquiry the said octroi subordinate is satisfied that the goods produced are covered by a pass and also by the railway receipt in question he will then

endorse on the reverse of the form and also on the coupon the number and date of the railway receipt and will return the form retaining the coupon subject to the disposal in the prescribed course of business.

15. In all cases in which refunds are claimed the triplicate pass duly endorsed, as provided by bye-laws 13 and 14 respectively must be produced at the Central Octroi Office by the person keeping the refund and if after due check the officer in charge is satisfied that a refund of octroi covered by suc passes his duly payable, he shall forthwith pay the same to the person presenting the triplicate pass.

16. Every Importer of dutiable articles, shall, if called upon by a requisition in writing signed by the President within three months of such import account for the articles received by him by producing either a permit obtained in token of payment of octroi duty or any export pass in proof of having exported the whole or part of the articles so received or otherwise.

17. Any person importing or exporting dutiable articles who infringes the above bye-laws shell be liable to a fine not exceeding 50 rupees.

1520

---

OFFICE OF THE PRESIDENT, TOWN MUNICIPAL COUNCIL, BHADRAVATI.

Notification dated 21st September 1956.

**No. H.C.P.R. 198—56-57.** It is bereby notified for the information of the public that Town Municipal Council, Bhadravati, have at their meeting held on 13th September 1956 resolved that the following model Bye-Laws and Rules framed by Government from time to time may be adopted for this Municipality with necessary alteration applicable to this Municipality.

Any inhabitant of the Municipality or any other person objecting to the proposed Bye-Laws and Rules may within, one month from the date of publication of this Notification send his objection, if any, in writing to the Municipal Council, stating his reasons therefor. Objections received after the prescribed time will not be considered.

B. RANGAPPA,
*President.*

1493

**Draft Bye-Laws relating to regulation of erection of buildings and the construction, maintenance of privies, cesspools, etc., within the limits of the Bhadravati Town Municipality framed under Section 48 and in exercise of the powe-s conferred by clauses (q), (r) *and* (u) of the Sub-Section (1) of the Mysore Town Municipalities Act of 1951 (Mysore Act XXII of 1951) by the Town Municipal Council, Bhadravati.**

*Notice to be given.*—The notice to be given to the Municipal Council under Sub-Section (i) of Section 112 shall be addressed to the President, Municipal Council and shall be in the form annexed to these Bye-Laws.

2. *Plans to be furnished.*—Such notice shall be accompanied by a site plan in duplicate of the land on which the structure is proposed to be built, drawn to a scale of not less than 20 feet to an inch showing :—

(*a*) the position, nature and use of all existing buildings thereon, and of the proposed building, and all appurtenant out-buildings,

(*b*) the area to be occupied by the building and out-buildings on the land,

(*c*) the position of latrines and privies, and the proposed method of drainage,

(*d*) the names (if any) or description of adjacent roads, streets, bridges, culverts or buildings,

(*e*) the number of the lot and the name or number of the block and street or road in which the land is situated, and

(*f*) where the building proposed to be erected abuts a road the breadth of such road as measured between the outer edges of the drain, if any, and the line of building on both sides:

Provided that in the case of buildings of less than Rs.500 in value, it shall be sufficient for the site plan to show the satisfactory of the President, without scale, the size of the proposed building and its position on the land, together with the position on the land with reference to adjacent buildings or lands.

3. The plan required to be produced under Section 112 of the Mysore Town Municipalities Act, 1951, shall be in duplicate and drawn to a scale of not less than 8 feet to an inch showing :—

(*a*) the plan of the ground floor and of each other floor if any, with sections and elevations on the same scale,

(*b*) the levels of the foundation and lowest floor of plinths with reference to the level at the centre of the adjacent roads or streets and level of the site,

(*c*) the depth and thickness of the foundations,

(*d*) the height and thickness of the plinth or basement walls, and of the walls above the plinth,

(*e*) the thickness of the floor or floors and the dimensions and structure of the roof,

(*f*) the position of the line or frontage of the proposed building with reference to the adjacent side drain of the street or road which the building faces or if there be no such side drain, with reference to the central line of the street or road:

Provided that in the case of buildings of less than Rs. 500 in value, it shall be sufficient to show in writing to the satisfaction of the President the levels at which the foundation and lowest floor are proposed to be laid.

The license and the approved plan shall always be available on the spot for inspection by the Municipal authorities.

4. The plan of every building of more than Rs. 500 in value shall be accompanied by a specification showing the nature and description of the materials to be used in the construction of the various parts thereof including the dimensions of all beams, bressummer posts, pillars and columns.

5. *Prohibition of certain sites.*—No foundation of a new building intended for human occupation shall be constructed on a site which has been filled up with or used as a place for depositing excrementitious matter or the carcasses of dead animals or other filthy or offensive matter until such matters shall have been properly removed to the satisfaction of the Municipal Council or shall in its opinion have become innocuous.

6. *Location of the buildings.*—In no new building shall the foundation of the external wall along with the street be located less than 1½ feet from the edge of street including the drain.

7. *Foundation of walls.*—The footings of the walls and the posts, the ground floor of the building proposed to be erected should rest on the solid ground or upon a sufficient thickness of concrete or upon some solid and sufficient substructures as a foundation.

Provided that where a solid rock is met with, at or near the surface of the site of such building, that is, within three feet of the level of the base of the wall, the footings may be omitted if the surface of the rock be properly and sufficiently cleaned and stepped or jagged to receive the first course of masonry.

8. *Plinth.*—The height of the plinth shall, in the case of the building which are to be built nearer to a street be not less than 1½ feet above the level of the street on which it abuts and in the case of buildings which are to be built farther to a street, it shall not be below such height as may be fixed by the Municipal Council.

9. *Inspection of Damp-proof courses.*—In the case of buildings which, in the opinion of the Municipal Council, are likely to be damp on account of the high level of the sub-soil water in the site, if the Municipal Council deems it necessary, damp-proof courses which shall consist of stone slabs laid in cement vitrified bricks or any other durable material impervious to moisture shall be laid between the foot of the walls of the ground floor and the top of basement which shall be above the level of the adjoining ground.

10. *Chimney.*—Every person erecting a chimney, shall so construct it that the upper outlet shall be at least 5 feet above the roof of the house.

11. *Height and area of the room.*—(a) The minimum height of every room intended to be inhabited in a building except a room in the roof thereof, shall be not less than 8 feet from the floor to the ceiling.

(b) The room in the roof shall have an average height of 7 feet from the floor to the ceiling.

(c) The ground area of a dwelling room shall not be less than 64 sq. ft. and no room shall be built which is less than 30 sq. feet in superficial area.

*Explanation.*—A partition wall not more than four feet high in a room shall not be considered to divide that room so as to make it into two rooms.

12. *Ventilation.*—Every such room shall be provided with ventilation by means of doors and windows, which open directly on to external air spaces not less than two and a half feet in width and which have an aggregate area of openings not less than one-tenth of the superficial area of that side of the room, which faces an open space.

Provision shall be made for openings in this room so as to provide a current of air whenever desirable and an opening for foul air shall always be kept near the top of the room.

13. *Height of the Building.*—No person erecting a building which abuts on a street, shall so construct it that any point of it is of a height greater than twice the width of the street immediately in front of it, including open spaces, if any, provided that nothing in this bye-law shall debar any person from reconstructing any building which had stood within two years on the same site, on the model of and with the same dimensions as the original building.

14. *Aerial Projections.*—No person who constructs, alters or adds to a building within the meaning of Section 112 of the Mysore Town Municipalities Act, 1951, shall project aerially, beyond the limits of his site, any part of his buildings, temporary or permanent so as to make it encroach upon or overhang any municipal road or lane, or the margin thereof or any other municipal land, except to the extent to which permission may expressly be granted by the Municipal Council.

15. All Water Spouts to drain roof or other water shall be led down to the ground touching the wall and shall not be so constructed as to discharge water to the inconvenience or annoyance of passer-by, or to the damage of municipal property.

16. No shutters of stables or other building shall be so constructed as to project on municipal land when left open.

17. *Inspection.*—For the purpose of facilitating inspection the following shall be the recognised stages in the construction of any building :—

(i) Digging for the foundation.
(ii) Filling in the foundation and raising the basement walls.
(iii) Superstructure, and
(iv) All subsequent work.

18. The Health Inspector and the Executive Officer of the Municipality shall be competent to inspect buildings under construction at all reasonable hours during the day and where a license has been granted to satisfy themselves that the work under progress is in conformity with the terms of the license and not contrary to the bye-laws.

19. *Drainage to be provided in certain cases.*—In localities where facilities for drainage and daily conservancy have not been created on account of such localities not having been taken up for laying them out into house sites, no dwelling houses shall be constructed unless sufficient facilities for drainage and daily conservancy are provided by the owner of the land to the satisfaction of the Municipal Council.

20. *Area of the site built upon.*—As a rule, on all sites measuring 100′×100′ or more, no more than half the site shall be built upon. In other cases no more than two-thirds of the site shall be built upon. In the case of sites and houses abutting up on the roads hereunder specified, the Municipal Council may, in its discretion, allow a larger extent than half or two-thirds to be built upon. Houses shall not ordinarily be built contiguous to each other, except when the width of the site is less than 40 feet. Wherever practicable a minimum clear space as fixed by the Municipal Council shall be left between every two houses. The minimum in no case shall be less than five feet wide.

(To be specified by the Municipal Council concerned).

1.
2.
3.

21. *Prohibition of mudwalls.*—Within the town limits no wall of any building shall, except with the permission of the Municipal Council, be made of mud alone.

22. *Building plot to be levelled.*—The building plot of every building shall be levelled in such manner that rain water may rapidly drain off into a water course or a Municipal drain.

23. *General.*—No building site shall be surrounded by a hedge of lantana, aloe, prickly pear or other objectional plant, or by a fence of barbed iron wire.

24. No pits shall be excavated in the sites allotted for building dwelling houses.

25. Every house shall have a decent frontage and no perishable or inflammable material shall be used for construction.

26. No person shall construct over a privy, new or old, any room or structure of any description except another privy, or a bathing place or bath room.

27. If any person has any doubt or difficulty as to the true intent or meaning of any matter connected with these bye-laws or the requirements thereof, he may, before giving notice in writing of his intention to erect or re-erect any building apply to the President, who shall upon receipt of such application, give the said person within a week such information as in the circumstances may be necessary.

28. *Notice of completion of building.*—Every person who shall erect a building shall, within one month after the completion of the erection of such building deliver or send or cause to be delivered or sent to the President at his office, notice in writing of the completion of the erection of such building.

29. *Special conditions to individual cases.*—Notwithstanding anything contained in these bye-laws it shall be within the discretion of the Municipal Council to attach special conditions to individual cases under Section 112 (2) provided that they are not inconsistent with the provisions of the Act.

30. Every place, other than a water closet or bathroom, situated within any house, building or enclosure and habitually used for the purpose of nature of for keeping human excreta, shall be considered to be a privy or latrine within the meaning of this bye-law.

31. Every person who shall erect a new building, a Chattrams, agraharas and tenements, etc., shall, in connection with such buildings construct such number of privies and in such manner as shall be prescribed in each case by the Mnnicipal Council .

Provided the number of privies shall not, in any case, be less than two, one for men and another for women.

32. A person who shall construct a new privy, whether in connection with a building or not, shall construct such privy upon such site or in such position and manner only as shall be approved by the Muninipal Council.

33. The floor of every latrine shall be made of Cement or of asphalt or of bastard asphalt and laid on the bed of concrete three inches thick, and shall be so sloped, drained and constructed as to carry away the fluid with facility into the latrine drain.

34. Every latrine shall be provided with a seat so made as to compel the excreta to fall entirely into a suitable pan or receptacle of sufficient capacity placed beneath it.

35. The walls and other masonry of the building shall be stone, in chunam mortar and plastered with cement of half inch in thickness from the floor level up to the height of two feet above the seat level.

36. Every latrine shall be provided with a separate entrance if required by the Municipal Council for the entry of scavengers for the purpose of conservancy.

37. Every latrine shall be provided with a 'U' shaped cemented drain sufficiently large, well-laid and water tight to prevent its contents from overflowing or stagnating or soaking into the ground such drains shall terminate with an iron pipe so that the contents of the drain may fall directly into a receptacle of a municipal drain.

38. All such drains shall be so constructed as to discharge their contents in a proper manner :

(i) into a municipal drain approved by the Municipal Council.

(ii) into a movable receptacle or bucket kept in the cistern constructed at the exteremity of the drain approved by the Municipal Council.

39. Every person who shall construct a cesspool in connection with a privy, shall construct such a cesspool in such a manner, and in such a position as to afford ready means of access to such cesspool and of removing the contents thereof and in such a manner and in such a position as to admit of the contents of such cesspool being removed therefrom and from the premises to which such cess pool may belong without being carried through any dwelling house or public building or any building in which any person may be or may intend to be employed in any manufacture, trade or business.

40. Every person who shall construct a cesspool, shall construct the same upon such site or in such manner and with such materials only as shall be approved of by the Municipal Council.

41. He shall construct such cesspool in such a manner that it shall have a capacity of not less than ten cubic feet, and in any case where there are more than three seats in the privy, in such a manner that it shall have a capacity of not less than three cubic feet for every seat in such privy.

42. Whoever contravance any of the provisions of bye-laws Nos. 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 19, 20, 21, 22, 23, 24, 25, 26, 28 and 30 to 41 shall be punishable with a fine which may extend to fifty rupees.

FORM.

(Vide *Bye-law No 1.*).

To

The President,
Town Municipal Council, Bhadravati.

SIR,

I, .....hereby give notice that I intend to erect on vacant site No. ..... ...in Block.....of.....Division or (to re-erect/add to, the existing building bearing Municipal Door No.....in block.....of..... Division).

2. I enclose the following records :—

(i) A copy of the title deed.

(ii) A site plan No.....(not smaller than 20 feet to one inch giving the following particulars)

(*a*) the position, nature and use of all existing buildings thereon, and of the proposed building and all appurtenent out-buildings.

(*b*) the position of latrines or privies, and the proposed method of drainage ;

(*c*) the names (if any) or description of the adjacent roads, streets, bridges, culverts or buildings.

(*d*) the number of the lot and the name or number of the block and street or road in which the land is situated and

(*e*) where the buildings proposed to be erected abut a road, the breadth of such road as measured between the outer edges of the drain, if any, and the line of buildings on both sides.

3. Detailed Plan Nos.....(not smaller than eight feet to one inch-showing :—

(*a*) plans of ground floor.

(*b*) plans of first floor and succeeding floor, if any

(*c*) one cross section at least and

(*d*) front elevation.

4. I append the following information :—

(i) The annual Municipal Tax ... ...

(ii) Total area of the site ... ... ... Rs.

(iii) Total area of existing and proposed building. Sq. ft.

(iv) Total maximum height of the building above the centre of road or street, abuttings the proposed building. Sq. ft.

(v) Width of such street or road at the extreme ends of the building. Ft.

(vi) Level of the site at its lowest feet above the road level/below the road level abutting it. Ft.

(vii) Nature of foundation and walls ... ...

(viii) Height of basement or plinth above road or street level. Ft.

(ix) Material to be used in foundation and walls. Ft.

(x) Material to be used for frame and covering the roof. Ft.

(xi) Height of invest of drain of latrine above the Municipal drain, if it abuts. Ft.

(xii) Height of invest of drain or bathroom above the Municipal drain, it abuts. Ft.

(xiii) Height of invest of kitchen drain above the Municipal drain, if it abuts. Ft.

(xiv) If cesspool, height of the walls enclosing it above the level of the nearest Municipal drain. Ft.

*Sd*.....

*Date*.....

1493

Notification dated 1st October 1956.

**No. H.C. P.R. 210—56-7.** It is hereby notified for the information of the public that Town Municipal Council, Bhadravati, have at their meeting held on 13th September 1956, resolved that the following Model Bye-laws and Rules framed by Government from time to time may be adopted for this Municipality with necessary alteration applicable to this Municipality.

Any inhabitant of the Municipality or any other person objecting to the proposed Bye-laws and Rules may within one month from the date of publication of this Notification send his objection, if any, in writing to the Municipal Council stating his reasons therefor. Objections received after the prescribed time will not be considered.

B. RANGAPPA,
*President.*

**Draft Bye-laws relating to Profession Tax within the limits of the Bhadravathi Town Municipality framed under Section 48(1) (i) of the Mysore Town Municipalities Act, 1951 (Mysore Act XXII of 1951) by the Town Municipal Council, Bhadravati.**

1. On the written requisition of the Municipal President, or of such person or persons as may be authorised by him from time to time in this behalf :—

(i) Every person engaged in or exercising any profession, art, trade or calling or holding any office or appointment within the limits of the Town Municipality, shall, within fifteen days after receipt of such requisition, furnish a statement under his signature in writing in the form appended to these Bye-laws showing his income for the required year or years.

(ii) Every occupier of any building or land within the Town Municipal limits shall furnish within a week of the requisition a list in writing containing the names of all persons occupying such buildings or land and specifying the profession, art, trade or calling, office or appointment of every such person.

2. Every employer or the head or secretary or manager of any public or private office or of a firm, or company or association shall within the 15th of April and 15th of October every year furnish—

(*a*) a list in writing of the names of all persons employed by such employer or by such office, firm, company or association with a statement of the salary or income of each of such employed persons ; and

(b) the particulars in regard to any company of which such employer, head, secretary, or manager as the case may be, is the agent.

3. Notwithstanding anything contained in these Bye-laws, every person commencing to exercise any profession, art, trade or calling or to hold any office or appointment in the Town Municipal limits who has not been required to furnish a return under the Bye law shall within fifteen days of so commencing give information of the fact to the President or other persons authorised by him in this behalf.

4. Every person who is liable to the tax and who shall change either the designation of the firm or the nature of his profession, art, trade or calling or office or appointment or his place of business, shall within fifteen days of such change, give intimation thereof to the President or other person authorised by him in this behalf.

5. Any infringement of these Bye-laws by any person shall be punishable with fine which may extend to rupees fifty.

FORM OF RETURN.

True Return furnished by.....

Under the Bye-laws framed by the.....Town Municipal Council under Section 48(1) (i) of the Mysore Town Municipalities Act, (Mysore Act XXII of 1951) as to the liability to tax on profession, art, trade or calling and on offices and appointments for the year ended.....

| Name and address of the party | Nature of profession art, trade or calling followed or office or appointment held | Date from which profession, etc., is followed | Monthly income | | Remarks |
|---|---|---|---|---|---|
| | | | Included in the last return | During the current year | |

Name of the Town. Signature of the party.

1497

Notification dated 1st October 1956.

**No H.C.P.R—210—56-7.** It is hereby notified for the information of the public that Town Municipal Council, Bhadravati, have at their meeting held on 13th September 1956 resolved that the following Model Bye-laws and Rules framed by Government from time to time may be adopted for this Municipality with necessary alteration applicable to this Municipality.

Any inhabitant of the Municipality or any other person objecting to the proposed bye-laws and rules may within one month from the date of publication of this Notification send his objection, if any, in writing to the Municipal Council, stating his reasons therefor. Objections received after the prescribed time will not be considered.

B. RANGAPPA,
*President.*

**Draft Rules for the levy and collection of a tax on arts, professions, trades and calling and on offices and appointment in the Town Municipality, Bhadravati.**

**Rules.**

1. Every person who, within, the municipal limits exercises a profession art, or calling or holds an office or on appointment—public or private—or is employed in or engages himself in any capacity in or exercises any profession or trade or calling and every person falling under any of the denominations shown in schedule I appended to these rules shall pay the tax at the rate specified in the said schedule as payable by persons of the class in which such person will be placed.

2. The tax shall be payable in advance in two equal half-yearly instalments in April and October every year (or in one lumpsum if the assessee so desires).

3 No person shall be liable to be taxed under these rules in respect of any half year in which he had exercised a profession, art, trade or calling or held an office or an appointment for a period of less than sixty days in the aggregate within the Town.

4 When a person exercises more than one profession or art or engages in more than one trade or calling whether under the same name or under different names or hold more than one office or appointment the tax shall be calculated on his aggregate income from all such sources.

5 On or before 1st April and 1st October every year an assessment list in the form specified in Schedule II shall be prepared. The list will be subject to revision half yearly or yearly as may be decided by the Municipal Council.

6 Any person who has paid the tax for the whole half year or years and who ceases during such period to be liable to assessment shall be entitled to a refund of not less than half the assessment:

Provided that no such remission shall be granted unless notice in writing of the fact of his giving up the profession, art, trade or calling or office, or appointment has been given to the President, Municipal Council and no remission or refund shall take effect for any period previous to the day of the delivery of such notice.

SCHEDULE I.

Rates of tax on arts, professions, trades, and callings.

*Class I.*

Every person holding any office or appointment public or private or employed in any capacity whose pay, salary or pension amounts to one thousand rupees a month or upwards and every person falling under any of the following denominations whose income is estimated to amount to one thousand rupees a month or upwards yearly Rs. 50.

1. Carrying on business as a company.
2. Wholesale and retail traders and manufacturers of every kind, contractors, auctioners and Commission Agents.
3. Bankers, money lenders, money changers and pan brokers.
4. Practising Barristers, Advocates, High Court Vakils, Solicitors, Attorneys, Pleaders and Law Agents;
5. Practising Medical Practitioners of all kinds including Hakims and Vaidyas;
6. Dentists and Veterinary Surgeons;
7. Keepers of hotels, lodging houses or boarding houses;
8. Owners of mills, warehouses, printing presses, oil presses, cotton presses and other presses and factories of all kinds.
9. Professional artists, photographers, actors, owners, or managers of circuses and theatrical companies, musicians and dancers;

*Class II.*

Every person described in Class I above whose pay or salary or pension amounts, or whose income is estimated to amount to five hundred rupees a month and upwards; Rs. 25.

*Class III.*

Every person described in Class I above whose pay, or salary or pension amounts, or whose income is estimated to amount to three hundred rupees a month or upwards Rs. 12.

*Class IV.*

Every person described in Class I above, whose pay or salary or pension amounts or whose income is estimated to amount to two hundred rupees a month or upwards Rs. 8.

*Class V.*

Every person described in Class I above, whose pay or salary or pension amounts or whose income is estimated to amount to one hundred rupees a month or upwards: Rs. 4.

*Class VI.*

Every person described in Class I above, whose pay or salary or pension amounts or whose income is estimated to amount to fifty rupees a month or upwards Rs. 2.

*Class VII.*

Every person described in Class I, above whose pay or salary or pension amounts or whose income is estimated to amount to thirty rupees a month or upwards. Re. 1.

The following classification subject to the following proviso, namely:

Proviso No. 1: No owner of a Cotton Press shall be placed in any class below Class II.

Proviso No. 2: No wholesale trader, Banker, Barrister, Advocate, High Court Vakil, Solicitor, Attorney, Mill Owner or Factory owner shall be placed in any class below class III.

Proviso 3: No Pleader, Medical Practitioner (other than Hakim, Vaidya or dentist or veterinary surgeon) shall be placed in any class below class III.

Proviso 4: No auctioneer, money-lender, keeper of hotel-lodging house or boarding house or owner of warehouse or press (other than a Cotton Press or Presses) shall be placed in any class below class V.

*Exception.*—Government servants and other persons employed in banks, factories, or private concerns, are exempted from payment of professional tax.

SCHEDULE II.

**Profession Tax Assessment.**

(*Rule* 5).

Division No. .....

| Number | Name of party | Assessment in previous year | | Occupation address | Monthly or annual income or other basis of assessment | Proposed assessment | | |
|---|---|---|---|---|---|---|---|---|
| | | Number | Amount | | | Class | Amount | Number |
| | | | | | | | | |

Draft Rules for levy and collection of a tax on shops and other places where a business or profession is carried on for purposes of profit payable by the person or persons engaged in the business or profession.

1. Tax on shops and other places in the Municipality where a business or profession is carried on for purposes of profit payable by the person or persons engaged in the business or profession shall be levied by the Municipal Council at the rates specified in the schedule.

2. The tax shall be payable in advance in two equal half-yearly instalments in April and October of every year or in one lumpsum if the assessee so desires.

3. No shop or other places of business or profession shall be liable to be taxed under these rules in respect of any half-year in which the person liable to pay the tax was engaged in the business or profession for a period of less than sixty days in the aggregate with this town.

4 Any person who has paid the tax for the whole half-year or years and who ceases during such period to be liable to assessment, shall be entitled to refund of not less than half the assessment, provided that no such remission shall be granted unless notice in writing of the fact of his giving up the business profession has been given to the President, Municipal Council, and no remission or refund shall take effect for any period, previous to the day of the delivery of such notice.

SCHEDULE.

(*Rule* 1).

Rates of tax on shops and other places of business or profession.

| Items | Sort | | | | | |
|---|---|---|---|---|---|---|
| | First | Second | Third | Fourth | Fifth | Sixth |
| | Rs. | Rs. | Rs. | Rs. | Rs. | Rs. |
| 1. Shops:— For each shop per year ... | 30 | 25 | 20 | 10 | 4 | 2 |
| 2. Other places where business or profession is carried on for purposes of profit per year. ... | 30 | 25 | 20 | 20 | 4 | 2 |

Notification dated 6th October 1956.

**No. H.C.P.R.-211—56-57.** It is hereby notified for the information of the public that Town Municipal Council, Bhadravati, have at their meeting held on 13th September 1956, resolved that the following model bye-laws and rules framed by Government from time to time may be adopted for this Municipality with necessary alteration applicable to this Municipality.

Any inhabitant of the Municipality or any other person objecting to the proposed Bye-laws and Rules may within one month from the date of publication of this Notification send his objection, if any, in writing to the Municipal Council stating his reasons therefor. Objections received after the prescribed time will not be considered.

B. RANGAPPA,
*President.*

Draft Bye-laws and Rules relating to Water Supply regulating all matters and things connected with the supply and use of water framed under Section 48 (i) (1) of the Mysore Town Municipalities Act, 1951, by the Town Municipal Council, Bhadravati.

1. These Bye-laws will be called "Bye-laws for the supply of water" in the Town Municipality of Bhadravati.

2. *Definition.*—In these bye-laws, unless there is something repugnant in the subject or content:—

(i) "Department" shall mean the water supply department under the Municipal Council.

(ii) "Authorised Officer" shall mean the President, Town Municipal Council or the Executive Officer or any Officer authorised by the Town Municipal Council.

(iii) "Consumer" shall mean any corporate body, person or persons consuming water supplied by the department and shall include the owner of such premises who is supplied with water by the Department.

(iv) "Licensed Plumber" hereinafter called 'Plumber' shall mean any person engaged in Pipe laying and fitting and licensed by the Town Municipal Council, under the rules framed by it in this behalf.

(v) 'Premises' shall mean any house or building (inclusive) of the ground attached thereto or its part or any tenement thereof in respect of which water is supplied or applied for.

(vi) "The Departmental stop cock or valve" shall mean the gland cock or valve fixed outside the premises and supplied by the owner but operated by the Department.

(vii) "Supply Pipe" shall mean that portion of the pipe line between the departmental stop valve nearest the main and the entrance to the premises.

(viii) "Communication Pipe" shall mean that portion of the pipe line between the main line and the departmental stop valve.

(ix) "Service Pipe" shall mean that portion of the pipe line laid within the premises.

(x) "Storage cistern" shall mean any cistern for containing the departmentally supplied water but shall not include a cistern for storing hot water or waters for flushing or other sanitary needs.

(xi) "Sources and means of water supply" include any water supply installations and private wells which are used by the public.

(xii) The President in his absence the Vice-President or the Executive Officer of the Town Municipal Council, Bhadravati, may exercise and perform the duties provided in these Bye-laws.

3. The Water Supply Department shall be responsible for all works connected with the supply of water to the places within the municipal area.

4. *Purpose of supply of water.*—The supply of water under the rules is intended ordinarily for *bona fide* domestic purposes and the water supplied shall not be used for any other purpose without the previous permission in writing from the President of the Town Municipal Council, Bhadravati.

A supply for the *bona fide* domestic purpose shall mean a supply made to dwelling or residential quarters for drinking, cooking, bathing and such other domestic

263

washing carriages or a supply to any of the non-domestic concern mentioned below:—

All institutions of an Industrial, commercial, or business nature and also coffee clubs, restaurants, tiffien rooms, hotels, theatres clubs, or recreation, Dairy Farms, motor garriages, stables, etc., used for hire or business, nurseries, fruit or flower gardens and all premises where constructions or alterations of buildings are going on, and all premises which are taxed by the Municipality, at the rates other than those for dwelling houses shall be treated as non-domestic for the purposes of these bye-laws.

5. No water cart or lorry shall take water from public foutains installed for *bona fide* domestic purposes, water may be drawn for watering public roads, flushing drains and other municipal purposes from duly metered public fountains and connections separately provided for the purpose, at the cost of the Municipal Council.

6. The President, may subject to the conditions, to be determined by him in this behalf supply water for other than domestic purposes.

7. *Installation and removal of public fountains.*—Public fountains shall ordinarily be located at distances of not less than 600 feet apart. The President, may remove or close or shift the public fountain in consultation with the Municipal Council.

The President, or the authorised Officer may close temporarily any public fountain found to be misused or contaminated.

8. *Erection of public fountain by Private Donors.*—Private individual may be allowed to erect Public Street foutains for dedication to public use on the following conditions :—

(i) that their number is strictly restricted to *bona fide* public requirements of particular localities which shall be decided in consultation with the Municipal Council.

(ii) that they shall be subject to the same condition as are applicable to other Municipal Public Fountains.

(iii) that their maintenance and repair costs shall be borne by the Municipality in the absence of any specific donor.

(iv) that their free and unobstructed use by the public for domestic purposes be duly safeguarded and no special privilege be claimed by the donor, and

(v) that they are not placed close to any other public fountain at a distance of less than 600 feet.

9. *Application for house connections.*—The owner or consumer shall make an application for water connection in the form prescribed by the Department to the authorised Officer through a licensed plumber. The application shall be accompanied by a certificate of ownership of the house, the municipal assessment receipt with details of annual rental value, the municipal deposit receipt for the road cutting or repair charges a detailed estimate of cost of connection and sketches of the several houses in the compound and details of layout of the pipe service, in relation not only to the departmental distribution lines running close by, but also to the public and private drains latrines, etc.

10. *Plumbers registers of house connections.*—The plumber shall maintain a register of such applications sanctioned and completed and shall submit the same before the 5th of each month to the President or the Executive Officer.

11. *Plumber's notice for getting connections.*—The plumber executing the work, shall give at least two days notice to the President for getting connection with departmental distribution line.

12. *Service connection by whom given.*—The service connection shall be given by the authorised officer or his subordinate empowered by him in this behalf in the presence of the plumber and consumer, or owner.

13. *Connection to Main.*—Such connection with the department public main shall be in accordance with the subsidiary rules issued from time to time by the department in this behalf.

14. The work shall not be commenced until after the departmental approval is communicated in writing to the consumer or owner through the concerned licensed plumber.

15. *Quality of Pipe and Fittings.*—No persons shall for the purpose of conveying delivering, receiving or using the water supplied by the Department *viz.*, fit for use any pipe, tap valve cock cistern, or any other water fittings or sanitary appliances which shall not be of the quality and strength prescribed by the Department, no consumer or owner shall be entitled for the supply of water unless and until such pipes and fittings and the laying and fixing thereof are approved by the President.

16. *Rates of materials and work.*—A schedule of rates chargeable for the materials and for the execution of work as in force at the time, shall be kept by the Department for the information of the consumer or owner.

17. *Specifications Prescribed.*—The Department may by subsidiary rules, prescribed in size, nature, materials, workmanship strength and mode of arrangement connection, disconnection, alteration and repair of pipes, meter's cocks, furreles, valves, soil pans, water closets, baths, cisterns and other apparatus and forbid any arrangements and use of any water fittings which may allow or tend to allow any waste, undue, consumption, misuse, erroneous measurement or contamination.

18. *Extension of Connection.*—In case where the consumer or owner applies of the existing connections, he shall not be required to alter or renew the fittings existing on the date of application unless in the opinion of the President, they are so defective or located in such a position as to cause or likely to cause obstruction to the water supplied by the Department or result in waste, undue consumption, misuse, or contamination of the water.

19. *Cammunication of Pipes.*—No premises which has been separately assessed to Municipal tax, shall, except with the special permission in writing of the President, be supplied with water by more than one communication pipe.

20. *Condition for a pipe connection.*—Every separately assessed domestic premises shall be entitled to have its own separate communication pipe, subject however to the capacity and the pressure of the distribution of sub-main nearest to the premises permitting to the grant of such connections.

21. *Connection from nearest distribution lines.*—The water connection shall as a general rule be taken from the nearest distribution line feeding the locality wherein the premises is situated special ; connections from other sub-mains shall be subject to the express orders of the President.

22. The President or the Executive Officer may if at any time, deem it necessary in the interest of the supply to alter the position of an existing connection with any public main or of the communication pipes or fittings, thereof direct, such alteration after giving not less than two days notice in writing to the person concerned. The cost of all such alteration up to the departmental stop valve should be borne by the Department.

23. Except under a written agreement with the Department and subject to its conditions, no consumer shall fix, fit or use any premises any self-acting sanitary or other outfit on the departmental water supply service line. Such a connection may not be granted by the Department except when conditions of supply admit such extra consumption in the opinion of the President.

24. *Accessibility.*—Every pipe or fitting within a building shall as far as practicable be so placed as to admit of easy access, examination, repair or renewal.

25. *Departments stop-cock or supply line.*—Every connection shall have just outside the premises and in an easy accessible position a valve or gland or cock of the approved pattern with a minimum diameter of ½" and not more than the diameter of the supply pipe. The valve or cock shall be supplied by the consumer, such valve or cock if below the ground level shall be suitably protected by a box in the approved pattern supplied to the consumer by the Department at the consumer's cost.

Every such gland shall be provided with a detachable check nut union joint near to it for a facility of connecting or disconnecting services.

In the case of existing services where the original gland cocks are either far away from the premises or otherwise inaccessable separate additional gland cocks, and check nut joint shall be provided by the consumer when and where required by the President.

26. *Communication and other pipes not to be laid through insanitary places.*—No communication or other pipes shall be laid so as to pass into or through any sewerdrain, latrine, manhole, or ash pit or manure pit and such pipe will not be allowed to remain in contact with any foul smelling or injurious materials, in unavoidable cases adequate protection, to the pipe shall invariably be provided by carrying at through an exterior cast iron tube or in any other suitable manner approved by the authorised officer.

27. *Depth of pipes underground.*—Pipes laid in open ground shall be at least 1½ feet below the ground level.

28. Pipes intended to carry water supplied by the Department shall not be allowed to carry water supplied from any other sources.

29. *Storage cisterns.*—In every case where the water is to be supplied to a storage cistern, a suitable control valve with an automatic arrangement for closing the inlet shall be provided. In addition to this a warning pipe shall also be fitted near to the cistern in such a manner that overflowing water from the same can be easily noticed by the consumer or departmental staff.

*Note.*—A warning pipe is a pipe fixed at the maximum water level of the cistern to indicate the overflow therefrom.

30. *A storage cistern.*—Reservoir of storage tank shall be provided with a dust and waterproof cover and a ventilator and shall be so placed as to admit of ready inspection and repair and cleaning and shall be free from contamination. The position of the warning pipe of the cistern shall not be altered except with the approval of the authorised Officer.

31. A cistern buried or excavated in the ground shall be provided with a reflux valve to prevent the back flow of the water to the pipe line and shall be so constructed as to ensure the water lightness as well as the imperviousness of the cistern to outside contamination. The auhorised Officer may inspect and cut off the services to such a cistern whenever contamination or misuse or any defect in construction is noticed.

32. Unless otherwise specially authorised no consumer shall be allowed to take water through any boiler, water closet or sanitary appliances except from a storage cistern of the approved specification.

33. *Removal or alteration of extension of Pipes.*—The owner or consumer shall, before starting the removal or alteration or extension of any pipe give not less than 15 days notice thereof to the authorised Officer and deliver the application through a duly licensed Plumber in the form prescribed by the Department.

34. *Only Licensed Plumbers to execute Works.*—All water connections or alterations or extensions or repairs to any water connection shall be done by departmental agency or by licensed plumber.

35. *Meters.*—For every connection, there shall be provided at the cost of the Municipality and maintained in due working orders water meters for the accurate gauging of the water consumed provided that the authorised Officer may dispense with such meter in case of connection which in the opinion of the Department are not likely to consume more water than the free allowance to be granted thereto.

36. The meter shall wherever practicable, be placed *inside the* premises *of the* consumer, who shall be held responsible for any damage or tampering with the meter. He shall be liable to pay the cost of making good such damages and to the penalty hereinafter imposed under the rules.

The President, may subject to the approval of the Council, assess the damages caused and recover the same in the manner prescribed for the recovery of other charges.

37. *Meter Reading.*—The meter shall be read between the 8th and the end of the month generally between the hours of 7-30 A.M. and 4-30 P.M. and recorded on meter cards, hung up by the side of the Electric Meter Cards or in any safe and prominent portion of the house. The consumer shall be responsible for the safety of the Card.

38. *Dispute about meter reading.*—Protests or disputes connected with the meter reading shall be lodged within 15 days after the monthly reading are recorded in the meter card mounted in the premises. No complaints received after this period shall be entertained.

39. The Municipal Council reserves to itself the right to make its own tests, free of cost, at any time after giving due notice of the same to the consumer.

40. If on examination any meter is found to be out of order the consumption during the period since the last reading till the meter is repaired or a new meter is installed, shall be calculated at the average consumption of the last three months during which the opinion of the authorised Officer the meter was recording properly and the consumption of water was not for any reason abnormal.

41. *Free Allowance of Water.*—The free allowance of water consumed for domestic connection shall be regulated as follows: —

For every one rupee of the annual rental value of the premises the authorised free allowance shall be 100 gallons per annum but in no case shall such free allowance be less than 2,000 gallons or more than 10,000 gallons per month.

The same rate shall apply to Government buildings used for residential purpose, but in the case of Government residential buildings like, Police lines, Nurses quarters, etc., the free quarters, etc., the free allowance fixed is without restriction of maximum limits.

42. In case of new premises, free allowance shall be granted from the date of municipal assessment, has effect provided that the construction of work is over and the premises is used for *bona fide* domestic purposes. In the absence of the municipal receipt for payment of assessment the minimum free allowance fixed under these bye-laws shall be allowed, provided that the construction work is over and the house or premises is occupied for domestic purposes. The correct free allowance shall be granted only on production of the said municipal receipt. But in no case shall free allowance be granted for the period not covered by the municipal assessment.

43. Application for modification in the quantity of free allowance allowed by the Department to any premises and noted on the bill sent every month shall be made within 15 days from the date of the bill. No complaint received after this period shall be entertained.

44. *Same premises with separate consumers.*—Whenever the Municipal Council assess a premises separately, the Department may give a separate connection thereto. But where more than one building is existing on the same premises occupied by different consumers but under a single assessment, no separate free allowance shall be given to each such individual building.

45. *Several Houses supply by one Pipe.*—

(*a*) In the case of blocks of houses situated in one and the same compound and separately assessed by the Municipality and having only one meter supply connection, where conditions do not admit of giving separate water supply connections on account of insufficiency of main, etc. the total rental value of the houses shall be taken into consideration for purposes of calculating free allowance, subject however to the minimum of 2,000 gallons and maximum of 10,000 gallons.

(*b*) In the case of house the assessment of which has been split up by the Municipality thereby entitling the owner to a separate water connection to each such sub-assessed house, it shall be incumbent on the owner to apply for a separate water connection to each sub assessed house and where conditions do not permit of separate connections being given due to insufficiency of main, etc., the free allowance shall be calculated on the total rental value of the block as a whole and not on the independent rental value of each such sub-assessed house in the block.

46. In the case of premises used partly for domestic and partly for any of the non-domestic purposes, the President shall decide the portion of the premises eligible for free allowance and fix the quantity thereof. An appeal shall lie, against the decision of the President, to the Council whose decision shall be final.

265

47. Whenever a person ceased to occupy the premises supplied with water or to use the water, he shall send a written notice to the authorised officer. In case of his failure to do so the Department may proceed against the persons or the owner to recover any charges that may become due including those for excess consumption or wastage occurring during the period of non-intimation to the authorised officer.

48. *Inspection of Premises.*—The authorised officer may enter any house or building or land to which the water is supplied to examine if there be any waste or misuse of water or if there is dispute about the supply of water and for inspecting the water fittings for conveying, receiving, storing and measuring water or for removing the instruments belonging to the Department. But this power of entry shall be exercised only between the hours 7-30 A.M. and 5-30 P.M. and other times of the day with previous intimation of not less than six hours to the consumer or owner or in his absence, to the members of his family.

49. *Report of Wastage of Water.*—In every case where water is supplied to a premises, if observed to go to waste by leakage of pipes, the consumer shall immediately give notice to the office of the authorised officer or to the Water Service Stations of the Water Works so as to enable necessary action being taken temporarily to arrest the wastage of water with the help of departmental staff. The subsequent repairs can be effected through the licensed plumber after fully intimating to the authorised officer the details thereof.

50. *The Water Supply cut off by the Department* shall not be restored as long as the wrongful act or omission for which the supply was cut off continues.

51. *Power to cut off Municipal Roads, Drains and other structures.*—The President or the authorised officer may cut open any road for the purpose of laying new or repairing the existing pipe lines provided that previous notice of not less than three days is given to the responsible person concerned for bringing the portion so cut off to the normal level and hardness. But the municipal council shall be responsible for reconditioning the road according to its original quality.

52. In the case of municipal drains, structures and other property which may have to be removed, the President, or the authorised officer shall be responsible for their complete restoration.

53. Whenever more than half the road width has to be opened out or any serious and prolonged obstructions to traffic is likely to be caused, the President, or the authorised officer shall cause a week's notice to be given. This rule shall not apply to cases of emergency occasioned by accidents, bursts on pipe lines, fire or other causes requiring immediate action on the part of the department.

54. The Executive Officer or the authorised officer shall have power to stop or reduce the supply in any public main or submain for repairs or renewals without any notice on emergent occasions. But in ordinary cases when the stoppage is over an extensive area or is due to exigencies which can be foreseen, such previous notice as is possible under the circumstances shall be given by beat of drum or other means.

55. *Breaking up of Municipal pavement, road or other property during pipe laying.*—In every case where the municipal pavement, drain, road, manhole or other property is likely to be effected during the laying of the pipes for any premises, the consumer or on his behalf the licensed plumber shall be responsible for giving sufficient notice thereof to theMunicipal Council. He shall also be subject to the same control restrictions and obligations to the Municipal Council during the period of such work as the Department itself is including the liability for any penalties recoverable for delays, inconveniences and incomplete or unsatisfactory finishing of the Works connected with the affected portions.

56. *Removal of pipe fittings by consumer or owner.*—Any consumer or owner may get his pipe removed provided he gives at least 15 days notice through a licensed plumber to the President or the authorised officer. Every such consumer shall compensate the department for any injury or damage to the Departmental pipe lines.

57. *Use of water.*—The water supplied by the Department shall be used only for the specific purposes permitted.

Any fittings and branch pipes for non-domestic use on a domestic supply or *vice-versa*, or those which are out of use or otherwise defective shall be removed and the connections properly sealed when required by the Authorised Officer, should the consumer or the owner fail to comply with such requisitions, the authorised officer may enter any house or premises and execute the required work and the expenses thereof shall be recovered from the Consumer or the owner in the same manner as other charges are recoverable under the rules.

58. *Hose pipe connection prohibited.*—Hose pipe shall not be used from any connections metered or unmetered except with the permission of the Department in writing and all water drawn through such pipe shall be separately charged for, every such pipe shall have a gland cock at the delivery end.

59. All pipes, tap fittings, etc., forming part of private connections of a consumer up to and inclusive of the stop cock nearest the supply main, shall in the absence, of any agreement to the contrary be the property of the owner of the said premises.

60. In the case, however of the communication pipe and the stop cock, the Department shall have the liberty to operate them for purposes of management and control. The meters or other appliances for measuring or limiting the amount of water supplied which may be installed by the Department. Within or outside the premises, shall be the property of the Department.

61. Any public sub-main or distribution pipe line laid by a private donor as contribution work shall be duly handed over to the Department for operations and maintenance. The owner shall not have control over such lines.

62. *Applicability of rules to public institutions.*—The foregoing bye-laws and rules apply *mutatis mutandis* to all public institutions such as schools, colleges, hostels, hospitals, public offices, etc., the supply allowed in each case free of charge being determined by the Department and any excess used over and above the free supply as measured by the meters being paid for by the institutions concerned at the rates prescribed.

63. *Liability of the Department for non-supply.*—Whether for domestic or non-domestic purpose the department or the Municipal Council is not liable in the absence of a contract to the contrary to any penalty or damages for non-supplying water if such non-supply arises from accidents, to pipe lines, bursts, short down of power and usual draught or other unavoidable causes beyond its control.

## Draft Rules for regulating the supply of water in Bhadravati Town Municipality.

1. These rules shall be called the rules for the supply of water in Town Municipality, Bhadravati.

2. The owner or consumer shall deposit with the Authorised Officer, the cost of the attachment from the public main at the following rates.

| | | Rs. a. p. |
|---|---|---|
| ½" | Attachment or less | ... 2 0 0 |
| 3/4" | Do | ... 3 0 0 |
| 1" | Do | ... 4 0 0 |

With a uniform addition of Re. 1–0–0 for every increase in the size of the pipe by ¼" up to a maximum of 3".

3. Every application for a non-domestic and domestic water connection shall be accompanied by a deposit of Rs. 56–4–0 in addition to the usual cost of attachment. Road taxes, etc., to serve as an advance. The deposit shall not be refunded to the depositor until such date as the disconnection is applied for permanently. Such deposit should be taken in case of existing non-domestic connections also.

4. For every meter installed by the Municipality or Government to premises and kept in working conditions, the following rates of meter rent shall be levied per month in addition to whatsoever charges may be due for the water consumed provided that for the period when the meter is out of order, no such rent shall be charged.

| | | | Rs. a. p. |
|---|---|---|---|
| ½". | 3/4", 1" meter ... | ... | 0 4 0 |
| 1¼" | Meter ... | ... | 0 8 0 |
| 1½" | Meter ... | ... | 0 11 0 |
| 2" | Meter ... | ... | 1 12 0 |
| 2½" | Meter ... | ... | 2 5 0 |

268

5. *Testing of Meters.*—Any person disputing the accuracy of the meter may apply to the authorised officer who shall on payment of a fee of Rupee one per test direct the testing of the meter. If on actual test, the quantity registered by the meter, is in excess of the correct quantity by more than five per cent, the testing fee shall be refunded and a proportionate rebate shall be allowed for the month in question and the modified bill paid for as per rules. No rebate shall be allowed if the excess is five per cent and below and the testing fee shall not also be refunded.

6. *Excess water charges.*—Any consumer who uses water in any month in excess of the free allowance so consumed, fraction of 1,000 gallons, shall pay for such excess at the rate of Re. 1 for every 1,000 gallons shall not be charged for if it be 500 gallons or less, but the excess over 500 gallons, if any, shall be charged for as if it were 1,000 gallons.

Till meters are fixed the following flat rates will be charged and collected from the domestic consumers :—

| | Rs. | a | p. | |
|---|---|---|---|---|
| 1. ¾" Connection 1 tap ... | 2 | 0 | 0 | |
| 2 taps ... | 3 | 0 | 0 | |
| and excess of 2 taps ... | 1 | 0 | 0 | per tap. |
| 2. ¾" Tap connections 1 tap ... | 3 | 0 | 0 | |
| 2 taps ... | 4 | 8 | 0 | - |
| and in excess of 2 taps ... | 1 | 8 | 0 | per tap. |

7. *Non-domestic purposes.*—Non-domestic concerns shall not be entitled to free allowance of water. All the water supplied to such premises shall be charged for as per the following rates.

Till meters are fixed, the President shall have power to fix a flat rate subject to a maximum of Rs. 20–0–0 for each connection per month. After the meters are fixed a rate of one rupee per 1,000 gallons will be charged for the quantity consumed. The same rate shall apply to Government Industrial and Commercial concerns also.

(*a*) In the case of Blocks of houses situated in one and the same compound or premises, having one tap connection, a rate of Rs. 2 shall be charged for each house included in the compound or premises using the same water and recovered.

8. *Payment of water charges.*—The excess water charges, meter rent and other charges due under these rules shall be paid within 15 days from the date of the bill at the office of the Authorised Officer, on bills which shall be sent to the party within five days from the date of meter reading.

If the bills are not received within five days from the date of meter readings, the party may obtain duplicate bills from the supply office to enable him to make payment within the due date.

Non-receipt of bills shall not be accepted as an excuse for delay in payment. Payment should invariably be made in cash, money order or postal orders but cheques for amount not less than rupee one drawn on local banks such as Imperial Bank of India, the Bank of Mysore Ltd., Co-operative Banks and Societies shall be accepted in payment of dues.

9. *Disconnections and reconnection of services.*—On failure of payment within the due date, the department reserves the right to cut off water supply to the premises and connection will be restored only on receipt of the amount along with a penalty of rupee one in such cases.

This penalty will not be charged if disconnection is made at the request of the consumer, subject to the condition that all the dues up to date of disconnection are paid up on or before the due date.

Disconnection may not generally be made when the arrears due from the installation is less than rupee one only, provided such arrears are paid up before the next quarterly bill is preferred.

As mistakes are likely to occur in crediting the receipt to the proper ledger account and giving room for disconnection of service in such cases, notwithstanding such payments being made by the concerned parties, the consumers are advised to produce receipt for payments or alternatively postal money order receipts or counterfoils of cheques when asked for by the officials of the Department who have been directed to effect disconnection of service in cases of default in payment.

Cheques drawn on local banks such as Imperial Bank of India, Mysore Bank, Co-operative Banks and Societies shall be accepted but no cheques shall be accepted for sums less than rupee one which shall be paid only in cash.

9. Payments claimed by the Department even in some cases of dispute shall be made within the specified time subject to the grant of refund later on after final decision by the Department.

10. *Payment by Consumer or Owners.*—All money due for water consumed, meter rent or other charges under these rules shall be payable by the consumer or owner; on his default by the owner.

11. *Intimation of charge of ownership or tenancy.*—All changes of ownership or tenancy of a premises should be intimated forthwith to the authorised officer in writing failing which the new consumer or owner shall be liable to be proceeded against recovery of all arrears connected with the supply of water provided however that for any such sum recovered from the new tenant he shall be entitled to credit in account with the owner of the premises.

12. Claims for water charged, etc., shall not become time-barred merely by any delay on the part of the department provided that the bills for the claims can be shown to have been sent by the authorised officer at least once immediately after the charges become due. Arrears of charges due, if found irrecoverable by the Department will be recovered in the same manner as any other municipal dues under the Mysore Town Municipalities Act, 1951.

13. The President, shall when requested by the consumer in writing furnish a memorandum showing the consumption and probable charges on account of water consumed, meter rent and other charges for any period subsequent to the preparation of the last bill in the office.

14. In cases of neglect or unwarranted delay, to report wastage under the above rules, the President, or the authorised officer may cut off the water connection without notice and follow it up with an official notice to the consumer or the owner.

15. The connection shall not be restored until the defects of leakage, etc., are satisfactorily restored. A bill of cost for such immediate repairs executed by the Departmental agency will be sent to the party who has to pay the same.

(*a*) In cases where wastage of water is due to leaky pipes the party may be charged at a concessional rate of eight annas per 1,000 gallons for such loss, the quantity being calculated as the difference between the actual consumption and the average consumption of the previous six months or the free allowance the premises are entitled to, whichever is greater.

16. *Power to cut off the connection*—The president or authorised officer shall have power to cut off the connection between the supply and communication pipes in any one of the following cases, provided that a reasonable written notice showing the specified cause or causes is given in advance, such notice being posted on the houses or premises, in case the consumer is not accessible.

(*a*) In default of payment of excess water charges, meter rents or any other charges due under these rules which have been duly demanded previously through bills issued from the office of the authorised officer.

(*b*) If any consumer violates any of the conditions on which connection has been granted to the premises in question resulting in the misuses of such water.

(*c*) In case of leakage through pipes or other fittings or any defective or insanitary condition of the same.

(*d*) In case of allowing wastage of water even after the issue of a warning in advance.

(*e*) In the case of broken pipes or fittings causing or likely to cause heavy loss of water or damage to property.

(*f*) In the case of refusal to allow the President or the authorised officer to enter into any land or building for the purpose of inspecting or repairing or attending to any works connected with the water supply given to the premises.

(*g*) In case of any person wilfully or unauthorisedly permitting any other person to take a connection from his supply.

(*h*) In the case of contamination of water from storage cistern.

(i) In case of the occupier of the premises does not give proper protection to meter readers from any injury being caused by animals such as dogs etc.

(j) In case of one pipe with a purpose of using of water to the neighbouring houses.

*Penalty.*—The consumer of water or the owner of the house in which the meter is fixed shall be held responsible for any wilful damage or alteration of the meter reading and shall be liable not merely to pay up the cost of making good such damage but also on conviction before the Magistrate be punishable with a fine which may extend to Rs. 50.

17. In the case of Government buildings used for residential purposes, the excess water charges shall be recovered as under the rules applicable to the general rate payers, from the occupier direct as a liability against him. In the case of his default, the Head of the Department concerned under whose charge the building is left shall recover the arears.

18. Mosques, churches, temples and other religious institutions.

In the case of mosques, churches, temples and other religious institutions, recognised as such by the Municipal Council and used by the public water shall be supplied free of cost.

*Note.*—(1) Only three taps will be allowed for each institution; if more than three taps are required, the institution must pay for the excess water consumed, at the rates charged under the rules.

(2) The trustees of the institutions concerned should see that the repairs needed to the pipe line and taps are attended to promptly and that water is not misused or wasted.

(3) The staff of the Water Supply Department shall inspect these institutions frequently and the defects, if any, pointed out by them should be attended to speedily by the trustees of the institutions concerned.

(4) Failure to attend to the defects pointed out will entail cutting off of the water supply connection without further notice.

(5) The President shall obtain the approval of Government to a consolidated list of religious institutions as are now existing and which shall be governed by these rules and new ones added to the list with the approval of Government as and when they come into existence.

(6) The above concession shall new however, apply to the residential and other buildings attached to the institutions concerned, which will be governed by the general rules applicable to private buildings.

(b) *Charitable Institutions*: 1. *Chattrams.*—The free allowance admissible in each case will be fixed by the Government on the recommendation of the Municipal Council and the excess consumption charged for at a concessional rate of annas eight per thousand gallons. A consolidated list of existing chattrams in the Town will be submitted to Government by the President.

21. *Hospitals.*—The free allowance for each Hospital shall be fixed on the merits of each case on the recommendation of the Municipal Council and the excess consumption charged for at a concessional rate of annas eight per thousand gallons.

*Note.*—Government however, reserve the right to enhance or reduce free allowance in the case of these institutions according to the circumstances of each case.

22. *Supply to Government Institutions.*—In the case of Government public buildings and institutions in which Government offices are held and which are not run on commercial or business or trade lines, the entire water consumed shall be charged for at eight annas per thousand gallons without any free allowance as the buildings are used solely for public purposes.

23. But when the Government Institutions are in default or when the claims are disputed by them, the water supply shall not be cut off immediately but two months time shall be given to refer the matter to the departmental head and obtain orders for recovery.

Should they continue to default even thereafter, the matter may be referred to the Secretary to Government, Public Works Department, and arrangements made for the recovery through the Accountant General.

24. *Water supply out of Municipal limits.*—In cases in which water supply is made to houses, premises, industrial concerns, etc., outside the municipal limits of the Town, these rules shall apply *mutatis mutandis* except where such supply is controlled by a separate agreement with the Municipal Council.

No houses, premises, industrial concerns, etc., outside the municipal limits shall be eligible for any free allowance. All water supplied shall be charged for at a rate of Re. 1 per 1,000 gallons except where otherwise provided for under a separate agreement with the Municipal Council.

All arrears of water charges, meter rent and other charges due to the Department or Council shall be recoverable from the consumber as arrears of Land Revenue.

1548

---

## OFFICE OF THE AMILDAR AND RETURNING OFFICER, TOWN MUNICIPAL COUNCIL, HASSAN.

Notification dated 9th October 1956.

**No. EBPR. 22—56.** Whereas a vacancy has occurred in the Town Municipal Council of Hassan, consequent on the appointment of Sri S. Chaluvegowda, Municipal Councillor as Public Prosecutor, who had been elected in a General vacancy from the First Division of Hassan Town Municipality. Notice is hereby given to the inhabitants of the First Division of Hassan Town that a Bye-Election will be held on Friday the 23rd November 1956 to fill up the vacancy,

The following calendar of events has been drawn up for the purpose and copies thereof have been affixed in the Town Municipal Office, Hassan, the Taluk Office, Hassan and New Type Middle School, Rajagatta situated in First Division of the Town.

Every Notice of Candidature should be in form 2 accompanied with a Bank chellan for having deposited Rs. 50 to the Municipal funds, Hassan. In the case of candidates belonging to Scheduled Castes, the deposits shall be Rs. 25 only. No notice of candidature shall be valid unless the deposit has been made.

The Notice of Candidature should be presented to the Amildar (Hassan Taluk) and Returning Officer, Hassan Town Municipality or in his absence to the Taluk Sheristedar, Hassan Taluk.

### Calendar of Events.

| Sl. No. | Reference to Election Rules | Particulars | Date and time |
|---|---|---|---|
| 1 | 15 ... | Publication of Election Calendar. | Friday, 19th October 1956. |
| 2 | 15 (d) 17 and 20 (i) | Presentation of notice of candidature before 3 P.M. at the Taluk Office in form II. | Friday 2nd November 1956. |
| 3 | 21 ... | Publication of copies of Notices, of candidature. | Friday, 5 P.M., 2nd November 1956. |
| 4 | 15 (f) and 23 | Scrutiny of Notices of candidature and disposal of objection if any. | Monday 3 P.M., 5th November 1956. |
| 5 | 15 (g) and 25 | Withdrawal of candidature, not later than 3 P.M. | Tuesday, 6th November 1956. |
| 6 | 28 ... | Publication of list of candidates with symbols, 5 P.M. in the Municipal Office, Hassan. | Wednesday, 7th November 1956. |
| 7 | 15 (h) ... | Date and place of election between 8 A.M. and 12 NOON and 1 P.M. to 5 P.M. at the New Type Middle School, Rajagatta. | Friday 23rd November 1956. |
| 8 | 15 (i) and 55 | Counting of votes commencing from 9 A.M. at the Taluk Office, Hassan. | Saturday, 24th November 1956. |
| 9 | 60 ... | Declaration of results of Bye-election and report to the Deputy Commissioner and L.S.G. Commissioner. | (after completion of counting). |

**Note:**—(1) Number of persons to be elected—One.
(2) Division for which to be elected—First Division
(3) Whether reserved or general—General
(4) The Polling Booth will be located in the New Type Middle School, Rajagatta.

1578 *Amildar and Returning Officer.*